

## **REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejection of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

### **I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 20-28 are pending. Claims 20, 24 and 28, which are independent, are hereby amended. No new matter has been introduced. Support for this amendment can be found throughout the Specification as originally filed and specifically on page 8 and Figure 4. It is submitted that these claims, as originally presented, were in full compliance with the requirements of 35 U.S.C. §112. Changes to the claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

Claims 28-31, which were rejected under 35 U.S.C. §101, have been amended, thereby obviating the rejection.

Claims 20-31, were rejected under 35 U.S.C. §112, first paragraph, as allegedly failing to comply with the written description requirement. Applicants submit that support for “updating said content of the database at any time through the Internet by connecting said database so said address of the website obtained from the server” can be on page 6, lines 4-8 of the Specification.

## II. REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 20-31 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 5,751,672 to Yankowski (hereinafter, merely "Yankowski") in view of U.S. Patent No. 6,505,160 to Levy, et al. (hereinafter, merely "Levy").

Claim 20 recites, *inter alia*:

"An information acquiring apparatus comprising:

a database, having updatable content containing information relating to a media, searchable by key data generated as a function of information stored at a predetermined place of said media, said content including an address of a server relating to the media;

**wherein a user can specify a location of another database having said updatable content searchable by said key data, said another database being different from said database included in said information acquiring apparatus.**" (Emphasis added)

As understood by Applicants, Yankowski relates to updating a memory in a Compact Disc changer. Information identifying discs stored in a CD changer is stored in a memory. The memory is updated when a CD is loaded which does not have identifying features which are recognized by the CD changer. Updating is carried out via a modem connection to a remote database.

As understood by Applicants, Levy relates to media objects which are transformed into active, connected objects via identifiers embedded into them or their containers. A decoding process extracts the identifier from a media object and forwards it to a server. The server, in turn, maps the identifier to an action, such as returning metadata, re-directing the request to one or more other servers, etc. The linking process applies to broadcast objects as well as objects transmitted over networks in streaming and compressed file formats.

Applicants submit that Yankowski and Levy, taken either alone or in combination, do not teach or suggest the above identified features of claim 20. Specifically, there is no teaching or suggestion of an information acquiring apparatus wherein a user can specify a location of another database having said updatable content searchable by said key data, said another database being different from said database included in said information acquiring apparatus, as recited in independent claim 20.

Therefore, Applicants submit that independent claim 20 is patentable.

For reasons similar to, or somewhat similar to, those described above with regard to independent claim 20, independent claims 24 and 28 are also believed to be patentable.

### **III. DEPENDENT CLAIMS**

The other claims in this application are each dependent on an independent claim discussed above, and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

### **CONCLUSION**

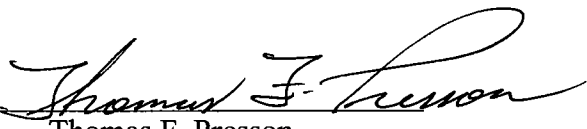
In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP  
Attorneys for Applicants

By   
Thomas F. Presson  
Reg. No. 41,442  
(212) 588-0800